

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

ALAN P. BORGHI,)
Plaintiff,)
v.)
PURPLE GROUP, INC., d/b/a PURPLE)
PAPAYA OF ST. THOMAS, and Z&E,) Civil No. 2008-36
INC., d/b/a PURPLE PAPAYA,)
Defendants.)

ATTORNEYS:

Karin A. Bentz, Esq.
St. Thomas, U.S.V.I.
For the plaintiff,

Charles Edward Lockwood, Esq.
St. Croix, U.S.V.I.
For the defendants.

ORDER

GÓMEZ, C.J.

Before the Court is the motion of defendant Z&E, Inc. ("Z&E") to sever the claims of Alan P. Borghi ("Borghi") against Purple Group, Inc., d/b/a Purple Papaya of St. Thomas ("Purple Group") from the claims against Z&E, Inc., d/b/a Purple Papaya ("Z&E"). In support of the motion, Z&E argues that severance is appropriate because it would allow Borghi to proceed against Z&E in St. Croix, while the claims against Purple Group would remain in St. Thomas. That argument presumes that transfer of the

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matter to St. Croix is appropriate with respect to Z&E. However, the Court has already determined that transfer is inappropriate with respect to Z&E. Accordingly, it is hereby
ORDERED that the motion to sever is **DENIED**.

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Curtis V. Gómez
Chief Judge